

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND

REGINALD C. HAYS
1512 Holbrook Street
Baltimore, Maryland 21202

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Plaintiff,

*

v.

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Civil Action No.:

CORRECTIONAL MEDICAL SERVICES,
INC.
12647 Olive Boulevard
St. Louis, Missouri 63141

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SERVE ON:

The Corporation Trust Incorporated
300 East Lombard Street
Baltimore, Maryland 21202

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Defendant.

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NOTICE OF REMOVAL

Defendant Correctional Medical Services, Inc. ("CMS"), by its undersigned counsel, pursuant to 28 U.S.C. § 1446, hereby removes this action from the Circuit Court of Maryland for Baltimore City to the United States District Court for the District of Maryland. The grounds for removal are:

1. Plaintiff filed this action in the Circuit Court for Baltimore City on November 9, 2009. That case is captioned *Reginald C. Hays v. Correctional Medical Services, Inc.*, Case No. 24-C-09-007295, and is referred to hereinafter as "the Circuit Court Action." Copies of the Complaint and Demand for Jury Trial, Civil Non-Domestic

Case Information Report and Order of Transfer that instituted the Circuit Court Action are attached hereto as Exhibits 1, 2, and 3 respectively. No other process, pleadings, orders, or papers have been filed in the Circuit Court Action.

2. Through a docket search, CMS became aware of the pendency of the Circuit Court Action on December 3, 2009. Thus, this Notice of Removal is being filed within 30 days after the Defendant became aware of the initial pleading setting forth the claim for relief upon which this action is based. *See* 28 U.S.C. §1446(b). (CMS has not yet been served with the Complaint.)

3. Plaintiff, an individual, is a citizen of Maryland.

4. Defendant CMS, a Missouri corporation with its principal place of business in St. Louis, Missouri, is a citizen of Missouri.

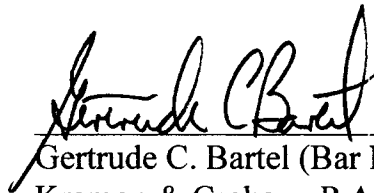
5. Diversity of citizenship exists between Plaintiff, who is a Maryland citizen, and the properly named Defendant, which is a citizen of Missouri.

6. According to the Civil–Non-Domestic Case Information Report attached to the Complaint, Plaintiff seeks over \$100,000 in compensatory damages, exclusive of interest and costs.

7. This Court has original jurisdiction over the subject matter of this action, as it is between citizens of different states and the amount in controversy exceeds \$75,000. *See* 28 U.S.C. §1332(a)(1).

8. Removal of this lawsuit is authorized by 28 U.S.C. §1441.

9. Attached hereto as Exhibit 4 is a copy of the Notice to Adverse Party of the filing of this Notice of Removal. The Notice to Adverse Party is being filed with the Clerk of the Circuit Court of Maryland for Baltimore City and a copy is being served on the Plaintiff as required by 28 U.S.C. §1446(d).

A handwritten signature in black ink, appearing to read "Gertrude C. Bartel", is written over a horizontal line.

Gertrude C. Bartel (Bar No.: 00052)

Kramon & Graham, P.A.

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Attorneys for Defendant

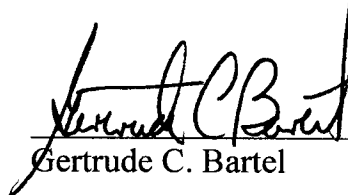
Correctional Medical Services, Inc.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 10th day of December, 2009, a copy of the foregoing Notice of Removal was mailed, first class, postage prepaid to:

Andrew G. Slutkin, Esquire
Jamison G. White, Esquire
Silverman, Thompson, Slutkin & White
201 N. Charles Street
Suite 2600
Baltimore, Maryland 21201

Attorneys for Plaintiff
Reginald C. Hays



Gertrude C. Bartel